Lawrence Rosenthal Laura Goldbard George STROOCK & STROOCK & LAVAN LLP 180 Maiden Lane New York, New York 10038-4982

Tel: (212) 806-5400 Fax: (212) 806-6006 Attorneys for Defendants Seiko Corporation of America and Seiko Holdings Corporation

USDS SDNY	
DOCUMENT	
ELECTRONICA	ALLY FILED
DOC #:	
DATE FILED:	9/3/03

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

PAUL SIMON D/B/A PAUL SIMON MUSIC, :

: Civil Action No. 08 CIV 7276 (PGG)

Plaintiffs,

V.

SEIKO CORPORATION OF AMERICA AND SEIKO HOLDINGS CORPORATION

Defendant

STIPULATION FOR EXTENSION OF TIME TO RESPOND TO AMENDED **COMPLAINT**

WHEREAS, Plaintiff, Paul Simon d/b/a Paul Simon Music ("Plaintiff") filed a complaint on August 15, 2008 (the "Complaint") against Defendants, Seiko Corporation of America and Seiko Holdings Corporation ("Defendants");

WHEREAS, on August 20, 2008 Plaintiff filed an Amended Complaint in this action (the "Amended Complaint").

WHEREAS, Plaintiff has not served the Summons, Complaint or Amended Complaint on Defendants.

WHEREAS, the parties have mutually agreed that Lawrence Rosenthal, Esq. shall accept service of the Amended Complaint and Summons on behalf of both of the Defendants, effective September 3, 2008, and have agreed to an extension of Defendants' time to answer or otherwise move;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by mutual agreement of the parties, by and through their respective counsel, that:

- Service of the Amended Complaint and Summons on Lawrence 1. Rosenthal, Esq. shall be effective on September 3, 2008.
- If service on Lawrence Rosenthal, Esq., by at least leaving the documents with the receptionist with Stroock & Stroock & Lavan LLP, occurs on or before September 3, 2008, the Defendants shall have until November 3, 2008 to answer or otherwise move in response to the Amended Complaint, if not, then Defendants shall have 60 days from the date of said service;
- If service on Lawrence Rosenthal occurs, Defendants shall not challenge 3. service of process under Rules 12(b)(2), (3), and (5) of the Federal Rules of Civil Procedure; and
- 4. Except as expressly referenced in Paragraph 3 above, Defendants accept service and enter into this Stipulation without prejudice to any defense or claim in this action, and reserve all other rights to answer, move or otherwise respond to the Complaint.

No previous requests for adjournments or extensions have been requested in connection with the Complaint. The parties both consent to the extension. No other dates have been scheduled at this time.

Respectfully submitted,

Dated: New York, New York August 28, 2008

HANLY CONROY BIERSTEIN SHERIDAN FISHER & HAYES LLP

By:

Steven M. Hayes

shayes@hanlyconroy.com

112 Madison Avenue - 7th Floor

New York, NY 10016

Tel: (212) 784-6414 Fax: (212) 213-5949

ATTORNEY FOR PLAINTIFF
PAUL SIMON D/B/A/ PAUL SIMON
MUSIC

New York, New York

sterile 3

, 2008

STROOCK & STROOCK & LAVAN LLP

Lawrence Rosenthal

lrosenthal@stroock.com Laura Goldbard George

lgoldbard@stroock.com

180 Maiden Lane

New York, New York 10038

Tel: (212) 806-5400 Fax: (212) 806-6006

ATTORNEYS FOR DEFENDANTS
SEIKO CORPORATION OF AMERICA
AND SEIKO HOLDINGS CORPORATION

SO ORDERED:

Hon. Paul G Gardephe

UNITED STATES DISTRICT JUDGE